

Michael D. Pinsky, P.C.  
Attorney for Alan Friedberg, Sheryl Smul,  
and the Sheryl Smul Grantor Annuity Trust  
211 Main Street, P.O. Box 148  
Goshen, New York 10924-0148  
Tel. (845) 294-5123  
Mike Pinsky, Esq.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GREENSTREET FINANCIAL, L.P., a  
Delaware limited partnership,

Plaintiff,

-against-

CS-GRACES, LLC, a New York limited  
liability company, RH LODGING SERVICES,  
LLC, a New York limited liability company,  
and ALAN FRIEDBERG,

Defendants.

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1:07-cv-08005 (KNF)

**THIRD-PARTY DEFENDANTS’  
RULE 26 DISCLOSURES**

Sheryl Smul (“Smul”) and the Sheryl Smul Grantor Annuity Trust (the “Trust”) (collectively the “Third Party Defendants”) submit the following preliminary disclosures pursuant to Fed. R. Civ. P. 26(a). The Third-Party Defendants’ investigation into the facts made the basis of this action is continuing, and is expected to lead to supplementation of these disclosures. The Third-Party Defendants respectfully reserve the right to supplement these disclosures as discovery and the development of the case make appropriate.

A. Persons having discoverable information to be disclosed pursuant to Rule 26(a)(1)(A)(i):

1. Alan G. Friedberg, 79 Katrina Falls Road, Rock Hill, NY 12775, regarding the Greenstreet loan; the business and financial affairs of RH Lodging Services. LLC (“RH

Lodging”); the investments in, the business of and financial relationships concerning RH Lodging, its business and its holdings, by and between CS-Graces, LLC and its principals Joseph and Lana Tso; the Sheryl Smul Grantor Annuity Trust, its trustee Sheryl Smul and beneficiary Alan Friedberg; and investor Robert Berman; the developments leading to the divestiture of the Trust’s ownership interest in RH Lodging; and related matters.

2. Joseph Tso, 49 North Main Street, Box 495, Ellenville, NY 12428, regarding the above.

3. Robert Berman, 4446 State Route 42, Suite B, Monticello, NY 12701, regarding the above.

4. Sheryl Smul, trustee, 12351 N.W. 2<sup>nd</sup> Street, Plantation, FL 33325, regarding the above.

5. Robert Wong, 4446 State Route 42, Suite B, Monticello, NY 12701, regarding the above.

6. Gary D. Silver, Esq., Stoloff & Silver, L.L.P., 26 Hamilton Avenue, P.O. Box 1129, Monticello, NY 12701, (845) 794-4300, regarding the negotiation and drafting of the Agreement dated effective January 30, 2006 concerning the divestiture of the Trust’s interest in RH Lodging, and communications concerning the same.

7. Lana Tso, 49 North Main Street, Box 495, Ellenville, NY 12428, regarding the management of RH Lodging.

B. Documents in Third-Party Defendants’ possession, custody or control to be disclosed pursuant to Rule 26(a)(1)(A)(ii):

1. Trust instrument establishing the Sheryl Smul Grantor Annuity Trust, dated

January 2, 1997 (the "Trust Declaration").

2. Consent of RH Lodging-dated January \_\_, 2001 by the Trust.
3. Agreement dated effective January 30, 2006 concerning the divestiture of the Trust's interest in RH Lodging.
4. Prior drafts of the Divestiture Agreement, various dates, and communications regarding the same.
5. Consulting Agreement for real estate development services between Alan G. Friedberg and Vista Development, LLC, a Delaware limited liability company.
6. Various documents, various dates, concerning the project to develop land behind the Lodge at Rock Hill, including without limitation engineering and architectural work.
7. Formation and organizational documents for BBF Land Holding, LLC.
8. Operating agreement for BBF Land Holding, LLC.

Dated: Goshen, New York  
June 9, 2008

/s/ Mike Pinsky, Esq.  
Michael D. Pinsky, P.C.  
211 Main Street, Box 148  
Goshen, New York 10924-0148  
Tel. (845) 294-5123  
Fax (845) 294-9384  
Email [mpinsky@frontiernet.net](mailto:mpinsky@frontiernet.net)

TO: Robert Bergen, Esq.  
Rebecca L. Misner, Esq.  
Kilpatrick & Lockhart Preston Gates Ellis, LLP  
599 Lexington Avenue  
New York, NY 10022

Ivan Kalter, Esq.  
Kalter, Kaplan, Zeiger & Forman  
P.O. Box 30  
6166 State Route 42  
Woodbourne, NY 12788